

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 UNITED STATES OF AMERICA,

Case No. 2:13-cr-291-APG-CWH-2

5 Plaintiff,

**ORDER GRANTING WITHDRAWAL
OF COUNSEL AND DENYING
SENTENCE REDUCTION**

6 v.

7 LESLIE DANIEL LONG,

8 Defendant.

(Dkt. #87)

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11 On October 8, 2015, I appointed Nisha Brooks-Whittington as counsel for defendant
12 Leslie Daniel Long to assist him in applying for a reduction of his sentence under 18 U.S.C. §
13 3582(c)(2). (Dkt. #84.) On October 2, 2014, I sentenced Mr. Long to 75 months of incarceration.
14 Subsequently, the United States Sentencing Commission adopted a two-level reduction in the
15 Sentencing Guidelines' drug offense levels. Mr. Long seeks a reduction of his sentence
16 consistent with that Guideline reduction. Ms. Brooks-Whittington has filed a motion to withdraw
17 as counsel because she will not file a motion or application for a sentence reduction on behalf of
18 Mr. Long.

19 Mr. Long's 75-month sentence took into account the anticipated two-level downward
20 reduction in the Sentencing Guideline range applicable to Mr. Long's crime. Because he received
21 the benefit of Amendment 782 ahead of time, he is not entitled to another reduction. I also have
22 considered the arguments and documents that Mr. Long has submitted in his *pro se* filings, as
23 well as the letters from his children. (Dkt. ##82, 83, 86.) It is very encouraging that Mr. Long is
24 working hard to obtain his GED, participating in the R-DAP program, and setting himself up for a
25 job upon his release from incarceration. Nevertheless, Mr. Long does not qualify for a sentence
26 reduction.

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1 IT IS THEREFORE ORDERED that Mr. Long does not qualify for a reduction of his
2 sentence.

3 IT IS FURTHER ORDERED that the motion to withdraw as counsel filed by Nisha
4 Brooks-Whittington (**Dkt. #87**) is supported by good cause and is hereby **GRANTED**.

5 Dated: January 26, 2016.

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9 ANDREW P. GORDON
10 UNITED STATES DISTRICT JUDGE
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